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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

The parties in the above-captioned case, by and through their counsel of record, hereby stipulated, agree, and jointly request that the hearing to determine the Defendant's competency be continued from October 24, 2011 to November 7, 2011, at 11:00 a.m., that the report required under 18 U.S.C. § 4247(c) be filed with the Court at least seven (7) days prior to the hearing, and that the parties' response to the report be filed no later than two (2) days thereafter. This continuance is necessary to accommodate the schedules of government counsel and defense counsel, as government counsel is not

available on October 24, 2011 and the next date that is available for both counsel and the Court is October 31, 2011.

The parties also stipulate, agree, and jointly request that all time between September 27, 2011 and November 7, 2011, should be excluded under 18 U.S.C. §§3161(h)(1)(A) and (h)(7)(B)(iv), as delay resulting from the need to conduct an examination and the appropriate proceedings to determine the mental competency of the defendant, and because the ends of justice served by the granting of the continuance outweigh the bests interests of the public and the defendant in a speedy and public trial in that denial of the continuance would unreasonably deny the government or the defendant continuity of counsel.

Date: 10/19/11

/s/

David Kelvin, Esq.

Counsel for Defendant MORFIN

Date: 10/19/11

/s/

Karen Beausey

Assistant United States Attorney

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

_____/s/ David K
Counsel for Defendant

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ORDER

2 Based upon the request of the parties, and good cause appearing, IT IS HEREBY
3 ORDERED that the hearing to determine the Defendant's competency is CONTINUED
4 from October 24, 2011 to November 7, 2011 at 11:00 a.m. The report required under 18
5 U.S.C. §4247(c) shall be filed with the Court at least seven (7) days prior to the hearing,
6 and the parties' response to the report shall be filed no later than two (2) days thereafter.

7 IT IS FURTHER ORDERED that the time between October 24, 2011, and
8 November 7, 2011, should be excluded under 18 U.S.C. §§3161(h)(1)(A) and
9 (h)(7)(B)(iv), as delay resulting from the need to conduct an examination and the
10 appropriate proceedings to determine the mental competency of the defendant, and
11 because the ends of justice served by the granting of the continuance outweigh the best
12 interests of the public and the defendant in a speedy and public trial in that denial of the
13 continuance would unreasonably deny the government or the defendant's continuity of
14 counsel.

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IT IS SO ORDERED

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18 10/21/11 
19 Date HON. SAUDRA BROWN ARMSTRONG
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